WPSS 971 of 07:

Hon'ble M.M. Ghildiyal, J.

Heard Sri Vinay Upadhyay, learned counsel for the petitioners and Sri Paresh Tripathi, learned Brief Holder for the State of Uttarakhand/ respondents.

Before advancing arguments, learned counsel for the petitioners has submitted that he does not want to press prayer no.2 of the prayer clause in the writ petition at this stage, thus the same may be treated as deleted.

Prayer is allowed. The prayer no. 2 be treated as deleted.

Learned counsel for the parties have submitted that the controversy raised in the present writ petition has already been settled by Hon'ble the Division Bench of this Court in Special Appeal No. 66 of 2005 and twelve other Special Appeals decided on 4th March, 2006. Counsel for the parties have submitted that the present writ petitioner may also be disposed of on the same terms and observations made in the aforesaid judgment.

Consequently, in view of the above statement, the present writ petition is also disposed of on the same terms and observations made by the Division Bench of this Court in Special Appeal no. 66 of 2005 (State of Uttaranchal and ors. Vs. Pushkar Bhatt and others) decided on 4th March 2006.

(M.M.G., J.)

27.07.2007:
NCM: